

REMARKS

The Office Action mailed July 31, 2003 has been received and the Examiner's comments carefully reviewed. Claims 1, 10, 20, 26, 33 and 36 have been amended. No new subject matter has been added. Claim 9 has been cancelled. Claims 1-6, and 10-33, 35, and 36 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

Claim Objection

The Examiner objected to claim 36 for depending upon a cancelled claim. Claim 36 has been amended to depend upon independent claim 33. In light of this amendment, Applicants respectfully request withdrawal of this objection.

Rejections Under 35 U.S.C. §103

The Examiner rejected claims 1-2, 12-19, 24-31, 32-33, 35 under 35 U.S.C. §103(a) as being unpatentable over Vidacovich et al. (U.S. Patent 5,402,515) in view of Daoud (U.S. Patent 6,453,107). Applicants respectfully disagree with this rejection; however, Applicants have amended claims 1, 26, and 33 to advance this application to allowance.

I. Claims 1-2 and 12-19

Claim 1 recites a storage tray arrangement including, among other things, a first tray and a mounting construction pivotably securing the first tray to a frame. The mounting construction includes a post secured to the frame and a detent-recess arrangement. The detent-recess arrangement includes at least one of the tray and the post having a detent and the other of the tray and the post having a plurality of recesses.

Vidacovich does not disclose or suggest, among other things, a mounting construction having a post with either a detent or a plurality of recesses. That is, the pin 136 of Vidacovich does not have a detent or a recess of a detent-recess arrangement whereby the arrangement permits the tray to be selectively pivotably mounted relative to the post in a plurality of discrete positions. Where Vidacovich fails to disclose or suggest

the structural limitations of claim 1, Daoud does not make up for the deficiencies of Vidacovich.

In particular, Daoud also does not disclose or suggest, among other things, a mounting construction having a post with either a detent or a plurality of recesses. Daoud instead discloses a tray 180 having a hinge portion 160 with a pivot pin 162 about which the tray 180 pivots. The pivot pin 162 does not have a detent or a recess. Rather, the "detent-recess arrangement" of Daoud involves a hole 164 formed on the tray hinge 160 and a boss 156 formed on a tray carrier frame 131. In other words, the "detent-recess arrangement" of Daoud concerns an arrangement cooperating between the tray 180 and the frame 131, not a tray and a post, as recited in combination with other features in claim 1.

To support a finding of obviousness, each and every element must be shown by the references. At least because none of the cited art discloses the combination of structural limitations recited by claim 1, Applicants respectfully submit that independent claim 1 and dependent claims 2 and 12-19 are patentable.

II. Claims 24 and 25

Claim 24 recites a storage tray for storing cable slack including, among other things, a sidewall projecting from a base; the side wall includes first and second curved arms that define an arched opening sized to engage a mounting post. The tray also includes a detent protruding from the sidewall in the arched opening between the first and second curved arms.

Vidacovich does not teach or suggest, among other things, a sidewall having an arched opening defined by curved arms, or a detent protruding from the sidewall in the arched opening. Rather, Vidacovich instead discloses a bracket 138 having a hole that engages a pin 136. The bracket 138 does not include first and second curved arms defining an arched opening that engages a mounting post. Accordingly, Vidacovich also does not have a detent protruding from the sidewall in the arched opening.

Likewise, Daoud does not teach or suggest, among other things, a sidewall having an arched opening defined by curved arms, or a detent protruding from the sidewall in the arched opening. Rather, Daoud discloses tray 180 having a hinge bracket 160. The hinge

bracket 160 has a post 162. The hinge bracket 160 does not have curved arms defining an arched opening that engages a mounting post. Accordingly, Daoud also does not have a detent protruding from the sidewall in the arched opening.

At least for this reason, Applicants respectfully submit that independent claim 24 and dependent claim 25 are patentable.

III. Claims 26-32

Claim 26 recites a method of storing cable slack including, among other things, providing a tray having mounting construction. The mounting construction has a mounting post defining a pivot axis, the mounting post including positioning structure configured to selectively and pivotably mount the first tray relative to the frame in a plurality of positions.

Neither Vidacovich nor Daoud teaches or suggests, among other things, a mounting post having positioning structure configured to mount the tray in a plurality of positions. In particular, Vidacovich discloses "positioning structure" including latching clips 140, 142 positioned at an end of the tray opposite from the mounting construction having a pivot axis (i.e. the pivot pin 136). Daoud discloses "positioning structure" including a hole 164 located on hinge brackets 160 that engage bosses 156 formed on a tray carrier frame 131. Neither Vidacovich nor Daoud teaches or suggests, among other things, a mounting post defining a pivot axis and including positioning structure.

At least for these reasons, Applicants respectfully submit that independent claim 26 and dependent claims 27-32 are patentable.

IV. Claims 33 and 35

Claim 33 recites a fiber management system including, among other things, a tray set having a mounting construction. The mounting construction has a mounting post defining a pivot axis and includes positioning structure. The trays of the tray set are configured to selectively engage the positioning structure of the mounting post to pivotably mount the trays relative to a wall.

Neither Vidacovich nor Daoud teaches or suggests, among other things, a mounting post having positioning structure configured to mount trays of a tray set

relative to a wall. At least for similar reasons as discussed above, Applicants respectfully submit that independent claim 33 and dependent claims 35 and 36 are patentable.

The Examiner also rejected claims 3-6, 9-11, 20-23 under 35 U.S.C. §103(a) as being unpatentable over Vidacovich et al. (U.S. Patent 5,402,515) in view of Daoud (U.S. Patent 6,453,107) as applied to Claims 1-2, 12-15, 26-31, 33 above, and further in view of Swenson et al. (U.S. Patent Application Publication No. 2002/0131749A1). Applicants respectfully disagree with this rejection; however, Applicants have cancelled claim 9 and amended claims 10 and 20 to advance this application to allowance.

V. Claims 3-6, 10 and 11

Claims 3-6, 10, and 11 depend upon claim 1. In view of the remarks regarding independent claim 1, further discussion regarding the independent patentability of dependent claims 3-6, 10, and 11 is believed to be unnecessary. Applicants submit that dependent claims 3-6, 10, and 11 are in condition for allowance.

VI. Claims 20-23

Claim 20 recites a storage tray having a base and a sidewall projecting from the base. The sidewall and base define a neck having a flared entrance. The flared entrance includes opposing convex sidewall portions. None of Vidacovich, Daoud, and Swenson teaches or suggests, among other things, a tray having a flared entrance with opposing convex sidewall portions.

In particular, the entrance of Vidacovich (near reference number 52 in FIG. 3) has a bracket 38 at one side of the entrance. The bracket 38 does not have a convex portion that defines a flared entrance as recited in claim 20. Likewise, neither Daoud nor Swenson teaches or suggests a flared entrance having opposing convex sidewall portions. At least for these reasons, Applicants respectfully submit that independent claim 20 and dependent claims 21-23 are patentable.

SUMMARY

It is respectfully submitted that each of the presently pending claims (claims 1-6, 10-33, 35 and 36) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future.



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Respectfully submitted,

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